IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

MISC.CIVIL APPLICATION NO.115 OF 2004.

Suhas Jaywant Railkar. ... Applicant.

Versus

Shrikrishna Dhondopant Rale. .... Respondent.

Shri S.M.Railkar for the Applicant.

Shri S.S.Patwardhan for the Respondent.

CORAM : ABHAY S.OKA, J.

DATED : 11th January 2005.

P.C.:

1. Heard the learned Counsel for the parties. The prayer in this Application is for transfer of Application under section 24 of the Maharashtra Rent Control Act made by the Respondent before the Competent Authority at Pune. The case of the Applicant is that the Competent Authority has rejected the Applications made by the Applicant raising objection to the jurisdiction of the Competent Authority. Further case of the Applicant is that the Competent Authority has permitted the Respondent not to answer certain questions which go to the root of the matter. Lastly it is submitted that the applications for adjournment on genuine grounds made by the Applicant have been granted by the Competent Authority on payment of costs. On the basis of the said averments it is the apprehension of the Applicant that he will not get fair justice from the Competent Authority.

2. After having heard the submission of the learned Counsel for the parties and after perusing the averments in the application particularly para 5 thereof, I am satisfied that no case is made out for transfer. Even if it is assumed that certain erroneous orders are passed by the Competent Authority, this by itself is not a ground for transfer. Hence the Application is rejected with no order as to costs.

Judge.